

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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	:	
UNITED STATES OF AMERICA,	:	
	:	
-against-	:	93 Cr. 203 (LGS)
	:	
JUAN CARLOS MUSTAFA,	:	<u>ORDER</u>
Defendant.	:	
-----	X	

LORNA G. SCHOFIELD, District Judge:

WHEREAS, Defendant Juan Carlos Mustafa mailed an *ex parte* motion for sentence reduction or compassionate release pursuant to 18 U.S.C. § 3582(c)(1)(A) and for appointment of counsel (the “Motion”), attaching Bureau of Prison (“BOP”) medical records. The papers filed in connection with his Motion, except the medical records, are appended hereto.

WHEREAS, “there is no statutory right to counsel under the Criminal Justice Act in connection with a § 3582(c) motion, and . . . the provision of such counsel should rest in the discretion of the district court.” *United States v. Cirineo*, 372 F. App’x 178, 179 (2d Cir. 2010) (summary order) (citing *United States v. Reddick*, 53 F.3d 462, 464-65 (2d Cir. 1995)); *accord United States v. Dussard*, No. 16 Crim. 673-2, 2020 WL 6263575, at *3 (S.D.N.Y. Oct. 23, 2020). The merits of a motion for compassionate release are a “significant factor in the exercise of that discretion.” *Reddick*, 53 F.3d at 465 n.2; *accord Dussard*, 2020 WL 6263575 at *3.

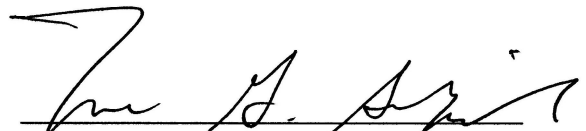
WHEREAS, 18 U.S.C. § 3582(c)(1)(A)(i) provides that the court “may reduce the term of imprisonment” only if it finds that “extraordinary and compelling reasons warrant such a reduction.”

WHEREAS, the Court is not at this time appointing counsel to represent Defendant in connection with the Motion and is obtaining additional information before issuing a decision on Defendant’s request that the Court appoint counsel.

It is hereby **ORDERED** that because the merits of a motion for compassionate relief are a significant factor in the Court's decision as to whether to appoint counsel, by **March 19, 2021**, the Government (1) shall obtain and send a complete set of Defendant's updated BOP medical records to the Chambers e-mail address, (2) shall file a letter summarizing or highlighting any pertinent portion of such medical records and provide any other facts that the Government believes to be relevant to Defendant's Motion and (3) shall transmit a copy of such medical records to Defendant along with a copy of this Order. The set of BOP medical records that Defendant submitted in connection with his Motion will be filed under seal and e-mailed separately to the Government.

The Government is directed to email if possible and mail a copy of this Order to Defendant and file proof of service by **March 12, 2021**.

Dated: March 10, 2021
New York, New York



LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE

mustafa, Juan carlos
Reg no. 34427-054
FCI - Gilmer, P.O. Box 6000
Glennville WV 26351

February 28, 2021

54 93 CR 00203-06 (TPG)

Office of the clerk
U.S.D.C. for the Southern Dist. of New York
500 Pearl Street
New York NY 10007

certified mail no. 7020 0640 0000 0320 0433

Dear clerk of the Court,

Please file the enclosed motion for
Compassionate Release, memorandum of law, sworn
Affidavit, and the following Appendices/Exhibits in support:
① Appendix A-1 through A-186 along with
attached Appendix.

Juan Carlos Mustafa
Juan carlos mustafa

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

V.

54 93 CR 00203-06 (TPG)

MUSTAFA JUAN CARLOS,

Defendant.

MOTION FOR COMPASSIONATE RELEASE AND MOTION
FOR APPOINTMENT OF COUNSEL AND REDUCTION
OF SENTENCE

Mustafa Juan Carlos, pro-se, hereinafter ("Defendant")
submits his motions for compassionate release and for appointment
of counsel, memorandum of Laws, Sworn Affidavit, and
attached Exhibits, and humbly prays for an ORDER GRANTING
his requested relief as follows:

AS A MATTER OF LAW

Pursuant to 18 U.S.C. section 3582 "a court may modify
or reduce a term of imprisonment upon motion of the Director
of the Bureau of Prisons or upon motion of the Defendant
after the Defendant has fully exhausted all administrative
rights to appeal a failure of the Bureau of Prisons to
bring a motion on the Defendant's behalf or the lapse of
30 days from the receipt of such a request by the
warden of the Defendant facility..." 18 U.S.C. section
3582(c)(1)(A). If such circumstances exist as here

"the Court may modify or reduce the term of imprisonment after considering the factors set forth in 18 U.S.C. section 3553(a) and finding that extraordinary and compelling reasons warrant such a reduction and that such a reduction is consistent with applicable policy statements issued by the Sentencing Commission". Id at section 3582 (c)(1)(A)(i). In Support see attached memorandum of law.

AS A MATTER OF FACT

- 1) Defendant properly served FCI-Gilmer, warden Robert Hudgins, with his request for compassionate release by USPS, certified mail / Return Receipt for merchandise and warden Robert Hudgins denied the said request; Now, Defendant, submits his motion for Compassionate Release to this Honorable Court. see Attached: Request for Compassionate Release to warden Robert Hudgins dated 12/16/2020 Appendix A-1, see Also Attached: certified mail / Return Receipt for merchandise cards Appendix A-2 and A-3, see Also Attached: Denial by warden Robert Hudgins. Appendix A-4. see Also Defendant Affidavit at 1;

- 2) Here, at FCI-Gilmer, P.O. Box 6000, Glenville WV 26351, we are experiencing a severe outbreak of Covid 19 cases. On January 5, 2021, Defendant tested positive for covid 19 and on the same day Defendant was placed in Quarantine until February

9, 2021. Respectfully, as of today Defendant is still suffering from the effects of covid 19. Here, at FCI - Gilmer, Defendant is at high risk of testing positive again due to the overcrowding and poor air quality ventilation system, and there are now new strands of coronavirus. Furthermore, Defendant is 60 years old and suffers from the following underlying medical conditions that put him at higher risk of injury, harm, or death: Diabetes, High cholesterol, morbid obesity, poor blood circulation, and Defendant is partially blind. Defendant fears that if he tests positive for covid 19 again that he may not win the recovery battle again. FCI - Gilmer refuses to provide Defendant with his medical record that reflects Defendant's positive covid 19 test results. However, see Summary Re-entry Plan - progress Report by Federal Bureau of Prisons Appendice A-174 which clearly states the words "Covid-19 Recovered", see also Attached: Federal Bureau of Prisons medical records in support of Defendant's underlying conditions appendice A-5 through A-165, see also Defendant Affidavit at 2;

- 3) It's important to note that Defendant was offered a 30 year plea agreement offer, the government felt 30 years was sufficient punishment for the charged crimes. Defendant proceeded to trial and received a Life + 75 years

sentence. Defendant has been incarcerated for over 26 straight years and still counting.

Emphasis Added; The sentences imposed for the various counts charging a violation of 18 U.S.C. section 924(c), would be drastically reduced if Juan Carlos Mustafa were sentenced today. Congress ~~do~~ now deems unwarranted the consecutive terms of imprisonment imposed for those section 924(c) convictions.

The First Step Act amended section 924(c) so that a consecutive term of 25 years (300 months) for a second or subsequent conviction for a section 924(c) violation is no longer mandated if the crime was committed before a prior conviction thereunder was final. Accordingly, because Juan Carlos Mustafa would not receive consecutive sentences, nor a 25 year mandatory minimum, if he was sentenced today, this fact should constitute "extraordinary and compelling" reasons for reducing his sentences.

Furthermore, under United States v. Davis, 139 S. Ct. 2319 (2019) it was held that the residual clause of section 924(c) to be unconstitutionally vague. Id. at 2336. Its holding is a new substantive rule of constitutional law that applies retroactively to criminal cases that became final before the rule was announced. see In re Mullins, 942 F.3d 975, 979 (10th Cir. 2019).

In re Hammond, 931 F.3d 1032, 1039 (11th cir. 2019),
 United States v. Reese 938 F.3d 630, 635 (5th cir. 2019),
 and Welch v. United States, 136 S.Ct. 1257, 1265
 (2016). Thus, after Davis Juan Carlos mustafa's
 convictions for the section 924(c) counts are no longer
 valid. Accordingly, his sentences should be reduced
 as a matter of law. see Defendant Affidavit at 3;

- 4) Defendant is 60 years old and a model inmate. Defendant
 is not a threat to the community and he will never
 even think about re-offending ever again. In Support
 of 3553(a) factors;

see Defendant's letter to the Court Appendice A-166,
 see also attached: Federal Bureau of Prisons male custody
 classification form dated 2/10/21. Defendants' security
 level is only 4 Points, Appendice A-167; see also attached:
 Federal Bureau of Prisons Inmate Education Data transcript
 dated 2/10/21 Appendice A-168 and A-169; see also: Federal Bureau
 of Prisons Inmate History work detail dated 2/10/21 Appendice
 A-170 and A-171; see also attached: Federal Bureau of Prisons
 Summary Reentry Plan-Progress Report dated 2/10/21 Appendice
 A-172 through A-175; see also attached: Recommendation to
 inmate incentive awards committee dated 2/10/21 Appendice
 A-176; see also attached: Recommendation to inmate incentive
 awards committee dated 12/20/20 Appendice A-177; see also

Attached: Recommendation to inmate incentive awards committee dated 12/3/01 Appendix A-178, see also Attached: Recommendation to Incentive Awards committee dated 10/20/00 Appendix A-179, see also Attached: Recommendation to incentive awards committee dated 5/20/00 Appendix A-180, see also Attached: Recommendation to inmate Incentive awards committee dated 07/01/99 Appendix A-181, see also Attached: Recommendation to inmate Incentive awards committee dated 11/1/97 Appendix A-182, see also Attached: Letter of Commendation from D.L. Enterprises for Inmate J. Mustafa # 34427-054 dated 12/5/97 Appendix A-183 and A-184, see also Attached: Recommendation to Incentive awards committee dated 8/8/95 Appendix A-185, see also Attached: Incentive award for Inmate Juan Mustafa # 34427-054 dated 2/14/95 Appendix A-186. see Defendant Affidavit at 4,

- 5) Defendant has strong ties to the community and a loving and caring support network consisting of: his mom, soulmate, 6 kids, and 3 grandchildren who "all" mean the world to him. Respectfully, Defendant has learned his lesson and will not reoffend ever again, he will not be a burden on the government because he is a hard working ^{and} skilled worker, and Defendant will live with his mother and care for her. Defendant's mother is 80 years old and suffers from Diabetes, heart problems, High blood pressure, and mental illness.

In support see Defendant's letter to the Court Appendice A-166, see also letter to Court from the mother of Juan Carlos Mustafa dated February 20, 2021 Appendice A-187 and A-188.

RELIEF

Defendant humbly prays for the following relief:
ORDER GRANTING his motion for Compassionate Release,
AND/OR Reduction of Sentence, AND/OR Appointment of
Counsel because defendant doesn't speak fluent English, AND/OR
A Hearing on the matter, AND/OR Any other relief that
this Honorable Court deems to be appropriate and just.

Date: February 28, 2021

Respectfully Submitted
Juan Carlos Mustafa
Mustafa, Juan Carlos
Reg No. 34427-054
FCI - Gilmer
P.O. Box 6000
Glennville WV 26351

SWORN AFFIDAVIT OF MUSTAFA JUAN CARLOS

State of West Virginia)
County of Gilmer) ss:)

I, mustafa Juan carlos, the Defendant being first duly sworn deposes and says that :

1) Defendant properly served FCI-Gilmer, warden Robert Hudgins with his request for compassionate release by USPS, Certified mail / Return Receipt for merchandise and warden Robert Hudgins denied the said request, Now Defendant submits his motion for Compassionate Release to this Honorable Court.

2) Here, at FCI-Gilmer we are experiencing a severe outbreak of Covid 19 cases. On January 5, 2021, Defendant tested positive for Covid 19 and on the same day Defendant was placed in Quarantine until February 9, 2021. As of today Defendant is still suffering from the effects of Covid 19. Here at FCI-Gilmer Defendant is at high risk of testing positive again due to the overcrowding and poor air quality ventilation system, and there are now new strands of coronavirus. Furthermore, Defendant suffers from the following underlying medical conditions and he is 60 year old, coupled together put him at a higher risk of injury, harm, or death. Diabetes, High cholesterol,

SWORN AFFIDAVIT OF MUSTAFA JUAN CARLOS

morbid obesity, poor blood circulation, and Defendant is partially blind. Defendant fears that if he tests positive for Covid 19 again that he may not win the recovery battle again. FCI-Gilmer refuses to provide the defendant with his medical record that reflects his positive covid 19 test result. However, see Summary Re-entry plan-progress Report by Federal Bureau of Prisons Appendice A-177 which clearly states the words "Covid-19 Recovered."

3) It's important to note that Defendant was offered a 30 year plea agreement offer. The government felt that 30 years was sufficient punishment for the charged crimes. Defendant proceeded to trial and received a Life + 75 years sentence. Defendant has been incarcerated for over 26 straight years and still counting.

4) Defendant is 60 years old and a model inmate. Defendant is not a threat to the community and he will never even think about reoffending ever again.

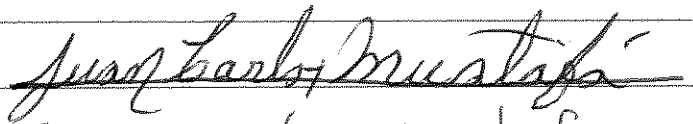
5) Defendant has strong ties to the community and a loving and caring support network consisting of:

SWORN AFFIDAVIT OF MUSTAFA JUAN CARLOS

his mom, soulmate, 6 kids, and 3 grandchildren who "all" mean the world to him. Respectfully, Defendant has learned his lesson and will not reoffend ever again, he will not be a burden on the government because he is a hard working and skilled worker, and Defendant will live with his mother and care for her. Defendant's mother is 80 years old and suffers from Diabetes, heart problems, High blood pressure, and mental illness,

Pursuant to Title 28 U.S.C. Section 1746, I, Juan Carlos Mustafa declare under penalty of perjury that the foregoing is true and correct to the best of my belief and knowledge.

Executed this 28th day of February, 2021


Juan Carlos Mustafa

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

Juan Carlos Mustafa,
Petitioner,

v.

Crim. No: 1:93-cr-00203-LGS-6

United States of America,
Defendant

_____ /

MEMORANDUM OF LAW

COMES NOW, Juan Carlos Mustafa, hereinafter known as petitioner, in pro se forma, respectfully submits the above motion for Reduction of Sentence and Compassionate Release under 18 USC 3582 (c)(1)(B); after Congress passed the First Step Act and the recently enacted Cares Act. Petitioner has served **twenty six** years of his current life sentence. In support thereof petitioner avers as follows:

1- Following a jury trial, petitioner was convicted of (6) count(s) 2ss, 9ss -21ss , 28ss - 30ss , 36ss , 39ss . CTS, 2,10,12,13,15,16,18,19,&21 To Run Concur., CTS 9,11,14, 17,20,&39 10.YRS Concur with Group A., CTS 36,37 & 38 5 YRS To Run Concur. With Groups A & B., Group D., Terms of Impr To Run Consecutively With Each Other and D Consecutively to Groups A,B & C., Five Yrs Count 28., 20 Yrs Count 29, 20 Yrs on Cts 30, 30 Yrs on Count 40; with super rel. life on counts 36 & 37. Group E. Five yrs on cts

2,10,12,13,15,16,18,19 & 21 group F to run concur with each other and concur with group E., 3 yrs on cts 9,11,14,17,20,28,29,30,38,39 & 40 Group G., to run concur with each other and concur with groups E & F. (See, Docket No: 93).

2- It is well settled that pro se litigants generally are entitled to a liberal construction of their pleadings; which should be read 'to raise the strongest arguments that they suggest.' See, *Harris v. Mills*, 572 F.3d 66, 72 (2d Cir. 2009); see generally *Haines v. Kerner*, 404 U.S. 519, 520-521 (1972) (per curiam). Pro se complaints should be read with "special solicitude" and should be interpreted to raise the "strongest [claims] that they suggest." *Triestman v. Fed. Bureau of Prisons*, 470 F.3d 471, 474-75 (2d Cir. 2006)

3- Petitioner avers, with the protections afforded in *Haines vs. Kerner*, since his sentence and conviction was imposed, the legal landscape has changed in significant ways, as the result of Congressional action. Most notably, in December 2018, the President signed into law the First Step Act of 2018 ("FSA" or "Act"). That "act was the culmination of several years of congressional debate about what Congress might do to reduce the size of the federal prison population while also creating mechanisms to maintain public safety." Congressional Research Service, "The First Step Act of 2018: An Overview" (Mar. 4, 2019), available at <https://crsreports.congress.gov>.

4- However, the First Step Act does not provide for retroactive relief. For all offenses other than those falling within the ambit of sections 2 and 3 of the Fair Sentencing Act, the sentencing reform provisions of the FSA benefit only individuals who were convicted following the effective date of the Act, i.e., December 21, 2018. See First Step Act §§ 401(c), 402(b), 403(b); *United States v. Contreras*, 332 F.R.D. 712, 713 (D.N.Mex.

2019). Thus, the changes made regarding the “stacking” of § 924(c) offenses are not retroactive. See *Baugh v. United States*, No. 16-cv-2628, 2020 WL 409728, at *5 n.5 (M.D.Tenn. Jan. 24, 2020), appeal filed, No. 20-5313 (6th Cir. Apr. 20, 2020). Another major change brought about by the First Step Act involves the availability of so-called “compassionate release.” Prior to the enactment of the FSA, a court could revisit a previously-imposed sentence if the Bureau of Prisons (“BOP”) filed a motion to reduce the sentence, and if the court concluded, based on criteria established by the U.S. Sentencing Commission, that “extraordinary and compelling reasons” warranted a sentence reduction. See 28 U.S.C. § 994(t), 18 U.S.C. § 3582(c)(1)(A).

5- One of the FSA’s most significant changes concerning compassionate release is that motions for reduction of sentence under § 3582 can now be brought by the defendant, if certain conditions are met. Previously, defendants had to submit a petition to the BOP director, who could decide whether to file a motion in district court. See *United States v. Brown*, 411 F.Supp.3d 446, 448 (S.D. Iowa 2019) (citing United States Sentencing Guidelines Manual § 1B1.13 cmt. n.4 (2018)). If the director declined to do so, the defendant could not challenge that decision in federal court. See, e.g., *Orlansky v. FCI Miami Warden*, 754 Fed.Appx. 862, 866-67 (11th Cir. 2018) (stating that the BOP had “unreviewable discretion” in that regard) (quoting *Turner v. United States Parole Comm’n*, 810 F.2d 612, 618 (7th Cir. 1987)).

6- Now, defendants themselves may bring a motion for reduction of their sentence. As amended by the First Step Act, 18 U.S.C. § 3582(c)(1)(A)(I) permits a court to consider such a motion either when the motion is made by the BOP, as before, or “upon motion

of the defendant after the defendant has fully exhausted all administrative rights to appeal a failure of the Bureau of Prisons to bring a motion on the defendant's behalf or the lapse of 30 days from the receipt of such a request by the warden of the defendant's facility, whichever is earlier." Id § 3582(c)(1)(A). Petitioner has filed the appropriate remedy for Compassionate Release. The Warden denied it on 12/31/20,

7- So it is clear that now, both the BOP and the defendant may file a motion for compassionate release. What is less so is whether and to what extent the FSA effected any changes with respect to how courts can or should decide motions under §3582(c)(1)(A)(I), particularly whether courts are bound by the criteria established by the Sentencing Commission for determining what constitutes "extraordinary and compelling reasons" for sentence reduction.

8- Section 3582(c)(1)(A) provides that "the court ... may reduce the term of imprisonment (and may impose a term of probation or supervised release with or without conditions that does not exceed the un-served portion of the original term of imprisonment), after considering the factors set forth in section 3553(a) [concerning the factors to be considered in imposing a sentence] to the extent that they are applicable, if it finds that ... extraordinary and compelling reasons warrant such a reduction"

Congress never defined what constitutes "extraordinary and compelling" reasons.

Instead, Congress directed the Sentencing Commission to promulgate "the criteria to be applied and a list of specific" examples. See, 28 U.S.C. § 994(t).

9- Pursuant to Congress's direction, and prior to the First Step Act, the Sentencing Commission established four categories of circumstances in which, in the Commission's

view, “extraordinary and compelling reasons exist.” U.S. Sentencing Guidelines (“USSG”) Manual § 1B1.13 cmt. n.1 (U.S.S.C. 2018). Those relate generally to: the defendant’s medical condition; the defendant’s age; the defendant’s family circumstances; and any other reason that the BOP director determines to be extraordinary and compelling. *Id.* What circumstances might otherwise be deemed “extraordinary and compelling” under that last, catch-all provision, were not further clarified, but were left to the BOP director to determine. See *United States v. Rodriguez*, No. 2:03-cr-271, 2020 WL 1627331, at 2 (E.D.Pa. Apr. 1, 2020). Those categories under the USSG have not been updated since the FSA was enacted in 2018.

10- Courts have reached different conclusions about whether, in the wake of the FSA, courts considering a § 3582(c) motion for reduction of sentence are limited to the four sets of circumstances set forth by the Sentencing Commission. Some courts have held that the FSA allows the court to grant such a motion only if the BOP director could have done so under the law as it existed prior to the enactment of the FSA. In other words, those courts conclude that judges’ discretion is constrained by the Sentencing Commission’s previously established categories, and may not stray beyond the specific instances listed in the Commission’s comment to § 1B1.13. See, e.g., *United States v. Willingham*, No. CR113-010, 2019 WL 6733028, at *2 (S.D. Ga. Dec. 10, 2019); *United States v. Lynn*, No. CR 89-72, 2019 WL 3805349, at *4 (S.D. Ala. Aug. 13, 2019), appeal dismissed, 2019 WL 6273393 (11th Cir. 2019).

11- Other courts have taken a different view, concluding that courts are no longer bound by the specific categories identified by the Sentencing Commission prior to the

enactment of the First Step Act. See, e.g., *United States v. Schmitt*, No. CR12-4076, 2020 WL 96904, at *3 (N.D.Iowa Jan. 8, 2020); *United States v. Beck*, No. 13-CR-186, 2019 WL 2716505, at *6 (M.D.N.C. June 28, 2019). Those courts appear to be part of a growing consensus. See *United States v. Young*, No. 00-cr-00002, 2020 WL 1047815, at *6 (M.D.Tenn. Mar. 4, 2020) (“a majority of the district courts that have considered the issue have ... held, based on the First Step Act, that they have the authority to reduce a prisoner’s sentence upon the court’s independent finding of extraordinary or compelling reasons”) (citing cases).

12- Today, the defendant himself may bring a motion for relief, regardless of whether the BOP director considers such relief appropriate. To say that the court is restricted to the four sets of circumstances set out by the Sentencing Commission would essentially nullify the fourth category as to motions brought by defendants, since the director’s failure to bring a motion presumably means that the director does not believe that any extraordinary and compelling reason exists.

13- Such a result hardly seems consonant with Congress’s intent in passing the First Step Act. Notably, the title of the Act is “Increasing the Use and Transparency of Compassionate Release.” Simply by giving prisoners direct access to the courts, the Act went some way toward achieving that end. But given the procedural hurdle that defendants must clear—that the BOP first deny or fail to act on a request made to the BOP—limiting the fourth criterion to the BOP director’s judgment as to whether a motion is warranted would hardly accomplish much. Courts have repeatedly noted that motions for compassionate release have rarely been filed by the BOP. See *United States*

v. Rivernider, 2020 WL 597393, at *3 (D.Conn. Feb. 7, 2020); *Brown*, 411 F.Supp.3d at 450 (noting that the Act's title is "especially valuable" in evaluating Congress's intent in light of the BOP's long and criticized history of rarely granting compassionate-release petitions); *United States v. Gerard Scparta*, No. 18 Cr. 578 (AJN), ECF Dkt. 69 (S.D.N.Y. Apr. 19, 2020).

14- Pristinely clear, a First Step Act motion filed pursuant to 18 U.S.C. § 3582(c) (1) (B) is based on the **Act's own explicit statutory authorization**, rather than on any action of the Sentencing Commission. For this reason, such a motion falls within the scope of § 3582(c)(1)(B), which provides that a "court may modify an imposed term of imprisonment to the extent otherwise expressly permitted by statute." This section contains no requirement that the reduction comport with U.S.S.G. § 1B1.10 or any other policy statement, and thus the defendant's eligibility turns only on the statutory criteria of each particular case. See, *Holloway v. United States*, No. 19-1035-cr (Court of Appeals Second Circuit) (April 2020).

15- For the above reasons, the courts have concluded that they are not bound by the USSG's statements concerning release. In particular, the fact that the BOP director has not found extraordinary and compelling reasons to exist does not constrain the court's ability to decide that question, independently. That is particularly so given the now advisory nature of the Sentencing Guidelines. See *United States v. Gagne*, No. 3:18-cr-242, 2020 WL 1640152, at *3 (D. Conn. Apr. 2, 2020) (stating that "'extraordinary and compelling' circumstances may exist outside of those circumstances delineated by the U.S. Sentencing Commission, given the advisory nature of the guidelines, and their

conflict with the statutory language of the First Step Act amendments”) (citing *United States v. Booker*, 543 U.S. 220 (2005)), appeal filed, No. 20-1169 (2d Cir. Apr. 8, 2020).

16- Petitioner has met the exhaustion requirement for bringing a motion for relief under § 3582. As mention above, Petitioner has submitted a cop-out to the Warden of his current institution. The relief sought was denied.

17- As of April 16, 2020, SARS-COV-2, a novel coronavirus causing COVID-19, has infected over 28.1 million people worldwide, leading to at least 905,238 deaths, and to 200,000 deaths in the United States. The President of the United States has declared a national emergency. Our country is still behind the curve on community testing, and we do not know the true extent of community spread as of the date of this filing.

18- It is a fact, the recommended social distancing measures are nearly impossible to implement and adhere to in detention facilities (like BOP) where detained individuals’ share dining, bathing and sleeping areas, and testing for the virus in county jails remains largely unavailable. In addition to threatening the well-being of detained individuals, COVID-19 is a threat to corrections staff that necessarily move between the community and the detention facilities where they work.

19- Petitioner—now sixty years—has spent over half of his live in prison. As explained below, has maintained an exemplary record while in prison. Despite his life-without-parole sentence, petitioner, by all accounts, has made the most of the almost three decades—have enrolled, in and completed, extensive coursework, worked diligently at their respective jobs, and engaged in various community service and mentorship opportunities.

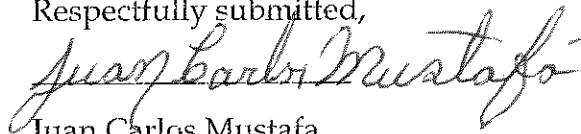
20- As to medical conditions, petitioner is a diabetic for which he is currently receiving medication. The CDC has stated diabetes as a high risk factor. The medical record in the Current Institution can attest to petitioner medical condition. Furthermore, the CDC has stated males (like petitioner) over 60 years are more vulnerable to contract the virus. Petitioner deserves a second chance for crimes committed almost 30 years ago. See, **Judge Sidney H. Stein**, U.S. District Judge 87-Cr-593 (SHS) Opinion & Order; see also, *Nkanga*, 2020 WL 1529535, at *1.

21- In conclusion, because there is new information that bears on the issue of whether petitioner's release is appropriate in response to the COVID-19 pandemic and in light of the foregoing health and safety concerns posed by incarceration, the defendant respectfully petitions for his release from confinement under the conditions this Honorable Court deems appropriate, including location but not limited to 'home confinement' to serve the remaining of the sentence.

WHEREFORE, for the foregoing reasons and case law cited herein, petitioner prays this Honorable Court grants the relief seek herein. Also, vacates the sentence and conviction imposed according to the provisions reforms mention above, and/or grants any other relief this Court deems proper.

Filed the 28 day of February, 2021

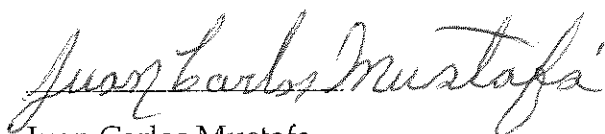
Respectfully submitted,


Juan Carlos Mustafa

Petitioner Pro Se

CERTIFICATE OF SERVICE

I HEREBY CERTIFY, under penalty of perjury that the following motion "For Reduction of Sentence and/or Compassionate Relief" filed under Title 21 USC 3582 (c) (1) (B) is true and correct. A copy of the foregoing petition was mailed first class pre-paid to the United States Attorney's Office located at One St. Andrew's Plaza New York, NY 10007.

A handwritten signature in cursive script that reads "Juan Carlos Mustafa".

Juan Carlos Mustafa
Register No: 34427-054
Gilmer - FCI
PO BOX 6000
Glenville, WV 26351

clerk of the Court

APPENDIX

- 1) Request for compassionate Release To warden Hudgins 12/16/20, A-1
- 2) certified mail / Return Receipt for merchandise cards A-2 and A-3
- 3) Denial by warden Robert Hudgins dated 12/31/20 A-4
- 4) Defendants FBOP medical records A-5 through A-165
- 5) Defendant Letter to the Court A-166
- 6) FBOP male custody classification form dated 2/10/21 A-167
- 7) FBOP Inmate Education Data transcript dated 2/10/21 A-168 and A-169
- 8) FBOP Inmate History work Detail dated 2/10/21 A-170-171
- 9) FBOP Summary Reentry plan-progress Report dated 2/10/21 . . A-172 - A-175
- 10) recommendation to inmate incentive awards committee dated 2/10/03 . . A-176
- 11) recommendation to inmate incentive awards committee dated 12/20/01 . . A-177
- 12) recommendation to inmate incentive awards committee dated 12/3/01 . . A-178
- 13) recommendation to inmate incentive awards committee dated 10/20/00 . . A-179
- 14) recommendation to inmate incentive awards committee dated 5/20/00 . . A-180
- 15) recommendation to inmate incentive awards committee dated 7/1/99 . . A-181
- 16) recommendation to inmate incentive awards committee dated 11/1/97 . . A-182
- 17) Letter of commendation from D.L. Enterprises dated 12/5/97 . . A-183 - A-184
- 18) recommendation to inmate incentive awards committee dated 8/8/95 . . A-185
- 19) Incentive award for Inmate Juan mustafa #34427-054 dated 2/14/95 . . A-186
- 20) Letter from the mother of Juan carlos mustafa dated 2/20/21 . . . A-187

BP-S148.055 INMATE REQUEST TO STAFF CDFRM

SEP 98

U.S. DEPARTMENT OF JUSTICE

A-1
FEDERAL BUREAU OF PRISONS

TO: (Name and Title of Staff Member) WARDEN ROBERT HUDGINS	DATE: December 16, 2020
FROM: Juan Carlos mustafa	REGISTER NO.: 34427-054
WORK ASSIGNMENT: B-1 unit orderly	UNIT: B-1

SUBJECT: (Briefly state your question or concern and the solution you are requesting. Continue on back, if necessary. Your failure to be specific may result in no action being taken. If necessary, you will be interviewed in order to successfully respond to your request.)

I am requesting compassionate Release under the First Step Act because my life is in danger here at FCI-Gilmer due to a Severe outbreak of Covid 19 as follows: I am 60 years old and I suffer from Diabetes, High Blood Pressure, High cholesterol, poor circulation, and I'm partially Blind. Furthermore, here, at FCI-Gilmer it's impossible to social distance due to overcrowding and the recycled air is pumped throughout the building putting me at greater risk. I humbly ask Warden ROBERT HUDGINS to expedite this request for compassionate Release due to the detailed circumstances ~~and~~ described above. WARDEN ROBERT HUDGINS has been properly served this request for Compassionate Release by certified mail / Return Receipt for Merchandise NO. 7020 0640 0000 0320 0563. Thank you kindly.

(Do not write below this line)

DISPOSITION:

Signature Staff Member	Date
------------------------	------

Record Copy - File; Copy - Inmate
(This form may be replicated via WP)

This form replaces BP-148.070 dated Oct 86
and BP-S148.070 APR 94

USPS TRACKING#



9590 9402 4307 8190 3755 08

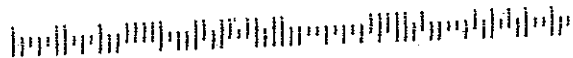
First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

United States
Postal Service

• Sender: Please print your name, address, and ZIP+4® in this box*

Juan Carlos mustafa
#34427-054
FCT - Gilmer
P.O. Box 6000
Glennville WV 26351
unit B-1

compassionate Release



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits:

1. Article Addressed to:

WARDEN ROBERT HODGINS
FCT - Gilmer
201 FCT - Lane
Glennville WV 26351



9590 9402 4307 8190 3755 08

Article Number (Transfer from service label)

7020 0640 0000 0320 0563

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☒ Agent☐ Addressee

B. Received by (Printed Name)

B. W. W. W.

C. Date of Delivery

12/8/20

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☒ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Insured Mail
- ☐ Insured Mail Restricted Delivery (over \$500)
- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☒ Return Receipt for Merchandise
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

Carlos Mustafa

7-054

rectional Institution - Gilmer

X 6000
e WV 26351

A-3

15 Stamp

COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
Items 1, 2, and 3. our name and address on the reverse we can return the card to you. this card to the back of the mailpiece, the front if space permits.		A. Signature X	<input type="checkbox"/> Agent <input type="checkbox"/> Addressee
Addressed to: ROEN ROBERT HUDGINS -I-Gilmer 21 FCI-Lane enville WV 26351		B. Received by (Printed Name)	C. Date of Delivery
D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No			
3. Service Type <input type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Insured Mail <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)		<input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Signature Confirmation Restricted Delivery	
Domestic Return Receipt			

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com ®.	
OFFICIAL USE	
Certified Mail Fee \$ 0.55	Extra Services & Fees (check box, add fee as appropriate) <input type="checkbox"/> Return Receipt (hardcopy) \$ 0.20 <input type="checkbox"/> Return Receipt (electronic) \$ 0.00 <input type="checkbox"/> Certified Mail Restricted Delivery \$ 0.00 <input type="checkbox"/> Adult Signature Required \$ 0.00 <input type="checkbox"/> Adult Signature Restricted Delivery \$ 0.00
Postage \$ 0.50	Postmark Here Juan Carlos Mustafa #34427-054 unit B-1 compartment
Total Postage and Fees \$ 1.05	Sent To WARDEN ROBERT HUDGINS, FCI-Gilmer 21 FCI-Lane

WARDEN ROBERT HUDGINS
 FCI - Gilmer
 201 FCI-Lane
 Glenville WV 26351

INMATE REQUEST TO STAFF MEMBER RESPONSE

NAME: Mustafa, Juan
REG. NO.: 34427-054

A-4

This is in response to your Inmate Request to Staff Member in which you request consideration for a Reduction in Sentence (RIS) / Compassionate Release. Specifically, you wish to be considered due to extraordinary or compelling circumstances.

Title 18 of the United States Code, section 3582(c)(1)(A), allows a sentencing court, on motion of the Director of the BOP, to reduce a term of imprisonment for extraordinary or compelling reasons. BOP Program Statement No. 5050.50, Compassionate Release/Reduction in Sentence: Procedures for Implementation of 18 U.S.C. §§ 3582(c)(1)(A) and 4205(g), provides guidance on the types of circumstances that present extraordinary or compelling reasons, such as the inmate's terminal medical condition; debilitated medical condition; status as a "new law" elderly inmate, an elderly inmate with medical conditions, or an "other elderly inmate"; the death or incapacitation of the family member caregiver of the inmate's child; or the incapacitation of the inmate's spouse or registered partner. Your request has been evaluated consistent with this general guidance.

The BOP is taking extraordinary measures to contain the spread of COVID-19 and treat any affected inmates. We recognize that you, like all of us, have legitimate concerns and fears about the spread and effects of the virus. However, your concern about being potentially exposed to, or possibly contracting, COVID-19 does not currently warrant an early release from your sentence. Accordingly, your RIS request is denied at this time.

If you are not satisfied with this response to your request, you may commence an appeal of this decision via the administrative remedy process by submitting your concerns on the appropriate form (BP-9) within 20 days of the receipt of this response.

for Cny
F. J. Bowers, Acting Warden

Date: 12/31/20

cc: Medical Records
Unit Team

A-166

Mustafa, Juan Carlos

Reg No. 34427-054

FCT - Gilmer, P.O. Box 6000

Glenville WV 26351

February —, 2021

54 93 CR00203-06 (TPG)

United States District Court Judge

Southern District of New York

500 Pearl Street

New York, NY 10007

Dear United States District Court Judge,

When I committed my selfish and sickening crimes I was a reckless fool that didn't have a care in the world. Your Honor Today I am not that same person. I sincerely apologize to my victims, the victims families, my family, and this Honorable Court with all my heart. Sadly, it has taken many years in prison to learn what is really important in life and what is not.

Everyday that I wake up I do everything in my power to be a better person than I was yesterday and if released from prison that will not change. I am 60 years old and I assure this Honorable Court that I will never re-offend again. I just want to hold my mom, soulmate, my children, and my grandchildren and never let them go ever again. Two years ago I lost my son Raymond Mustafa and everyday of my life I live with sadness, guilt, and tears. Respectfully Submitted

A-167

GILGD 606.00 *

MALE CUSTODY CLASSIFICATION FORM

*

02-10-2021

PAGE 001 OF 001

13:42:15

(A) IDENTIFYING DATA

REG NO.: 34427-054

FORM DATE: 03-12-2020

ORG: GIL

NAME....: MUSTAFA, JUAN CARLOS

MGTV: PSF WAV

PUB SFTY: GRT SVRTY, ALIEN, SENT LGTH

MVED: N/A

(B) BASE SCORING

DETAINDER: (0) NONE

SEVERITY.....: (7) GREATEST

MOS REL.: 540

CRIM HIST SCORE: (00) 1 POINT

ESCAPES.: (0) NONE

VIOLENCE.....: (0) NONE

VOL SURR: (0) N/A

AGE CATEGORY....: (0) 55 AND OVER

EDUC LEV: (0) VERFD HS DEGREE/GED

DRUG/ALC ABUSE.: (0) NEVER/>5 YEARS

(C) CUSTODY SCORING

TIME SERVED.....: (3) 0-25%

PROG PARTICIPAT: (2) GOOD

LIVING SKILLS....: (2) GOOD

TYPE DISCIP RPT: (5) NONE

FREQ DISCIP RPT.: (3) NONE

FAMILY/COMMUN...: (4) GOOD

--- LEVEL AND CUSTODY SUMMARY ---

BASE CUST	VARIANCE	SEC TOTAL	SCORED	LEV	MGMT	SEC LEVEL	CUSTODY	CONSIDER
+7	+19	-3	+4	HIGH	MEDIUM	IN	DECREASE	

G0005

TRANSACTION SUCCESSFULLY COMPLETED - CONTINUE PROCESSING IF DESIRED

GILGD * INMATE EDUCATION DATA * 02-10-2021
 PAGE 001 * TRANSCRIPT * 07:29:48

REGISTER NO: 34427-054 NAME...: MUSTAFA
 FORMAT.....: TRANSCRIPT RSP OF: GIL-GILMER FCI
 FUNC: PRT

A-168

----- EDUCATION INFORMATION -----

FACIL	ASSIGNMENT DESCRIPTION	START DATE/TIME	STOP DATE/TIME
GIL	ESL HAS ENGLISH PROFICIENT	06-30-1994 1257	CURRENT
GIL	GED EARNED GED EARNED IN BOP	03-09-1999 1102	CURRENT

----- EDUCATION COURSES -----

SUB-FACIL	DESCRIPTION	START DATE	STOP DATE	EVNT	AC	LV	HRS
GIL	CARDIO: M/W/F 2:00-3:00PM	01-26-2019	03-16-2019	P	C	P	6
GIL	BASIC SPIN:M,W,F 9:00-10:00AM	01-26-2019	03-16-2019	P	C	P	6
GIL	ADV JUMP ROPE:T/TH;1400	11-11-2011	01-06-2012	P	C	P	4
GIL	LEATHER 1830-2030	01-24-2011	05-06-2011	P	C	P	22
GIL	BIG MAN CARDIO:M,W,F;1400	01-14-2011	03-16-2011	P	C	P	6
BSY	STOP THE VIOLENCE;MON;7:40AM	05-09-2010	06-23-2010	P	C	P	24
BSY	BEG CROCHET,T&R,12:30-2:00;JB	05-04-2010	05-25-2010	P	C	P	12
LEW	RPP-ANGER MANAGEMENT	03-13-2009	06-05-2009	P	W	I	5
LEW CODE	RPP-VALUES	07-28-2008	08-25-2008	P	C	P	8
LEW CODE	RPP-VICTIM IMPACT/REST JUSTICE	06-23-2008	07-21-2008	P	C	P	4
LEW CODE	RPP-PARENTING FROM A DISTANCE	06-09-2008	06-16-2008	P	C	P	4
LEW CODE	RELEASE ISSUES	05-05-2008	06-02-2008	P	C	P	8
LEW CODE	RPP-LOCAL SOCIAL SERVICE	04-14-2008	04-28-2008	P	C	P	5
LEW CODE	RPP-CAREER EXPLORATION INV.	03-10-2008	04-07-2008	P	C	P	8
LEW CODE	RPP-HEALTH PRO/DISEASE PREVENT	02-11-2008	03-03-2008	P	C	P	5
LEW CODE	RPP-FOOD & MONEY ASST.	11-05-2007	02-04-2008	P	C	P	8
LEW CODE	MILLWRIGHT APPRENTICESHIP	08-17-2004	03-08-2007	P	C	A	8000
LEW CODE	LEISURE ACTIVITY/CERAMICS-2002	01-02-2002	12-31-2002	P	C	P	120
LEW CODE	MILLWRIGHT APPRENTICESHIP	08-15-1994	12-01-2001	P	C	A	9000
LEW CODE	LEISURE ACTIVITY/CERAMICS-2001	01-02-2001	12-31-2001	P	C	P	120
LEW	LEISURE ACTIVITY/CERAMICS-2000	01-03-2000	01-02-2001	P	C	P	120
LEW	LEISURE ACTIVITY/CERAMICS	11-20-1997	01-03-2000	P	C	P	650
LEW	LEISURE ACTIVITY/INSTR.MUSIC	01-10-1998	10-31-1999	P	C	P	360
LEW	SPANISH GED	12-04-1997	03-09-1999	P	C	P	566
LEW	MATH VT/ACE,WED. 6:30-8:15PM	12-14-1997	07-21-1998	P	C	P	200
LEW	SPANISH GED CLASS 9AM	10-31-1996	12-04-1997	C	W	I	0
LEW	MATH VT/ACE,WED. 6:30-8:15PM	04-17-1997	08-28-1997	P	C	P	40
LEW	ECONOMICS VTACE WED 6:30-8:30	06-11-1997	08-27-1997	P	C	P	24
LEW	LITERACY PROGRAM	09-16-1994	10-25-1996	P	W	I	960
LEW	PARENTING CLASS	02-13-1996	06-04-1996	P	C	P	30
LEW	ENGLISH AS A SECOND LANGUAGE	04-26-1994	06-30-1994	P	C	P	206
OTV DCU	ESL CLASS AFTERNNONS MON-FRI	09-27-1993	01-13-1994	P	W	I	72
OTV DCU	HOLDOVER ORIENTATION PROGRAM	09-21-1993	09-27-1993	P	C	P	33

----- HIGH TEST SCORES -----

TEST	SUBTEST	SCORE	TEST DATE	TEST FACIL	FORM	STATE
CASAS	LIST PLACE	225.0	04-26-1994	LEW	1	
	READ CERT	230.0	06-26-1994	LEW	522	
	READ LEV A	237.0	05-26-1994	LEW	35	
	READ PLACE	225.0	04-26-1994	LEW	1	

G0002 MORE PAGES TO FOLLOW . . .

GILGD *
PAGE 002 OF 002 *

INMATE EDUCATION DATA
TRANSCRIPT

* 02-10-2021
* 07:29:48

REGISTER NO: 34427-054
FORMAT.....: TRANSCRIPT

NAME...: MUSTAFA
RSP OF: GIL-GILMER FCI

FUNC: PRT

A-169

----- HIGH TEST SCORES -----						
TEST	SUBTEST	SCORE	TEST DATE	TEST FACL	FORM	STATE
CTBS	MATH APPL	6.5	02-02-1996	LEW	2	
	MATH COMP	7.3	02-02-1996	LEW	2	
	MATH CONC	6.5	02-02-1996	LEW	2	
	READ COMP	10.5	02-02-1996	LEW	2	
	VOCABULARY	11.8	02-02-1996	LEW	2	
GED	AVERAGE	55.0	03-09-1999	LEW	PASS	PA
	LIT/ARTS	59.0	03-09-1999	LEW	AE	PA
	MATH	54.0	03-09-1999	LEW	AE	PA
	SCIENCE	49.0	03-09-1999	LEW	AE	PA
	SOC STUDY	69.0	03-09-1999	LEW	AE	PA
	WRITING	44.0	03-09-1999	LEW	AE	PA

G0000

TRANSACTION SUCCESSFULLY COMPLETED

GILGD 531.01 *
PAGE 001 *

INMATE HISTORY
WRK DETAIL

* 02-10-2021
* 07:21:47

REG NO.: 34427-054 NAME: MUSTAFA, JUAN CARLOS
CATEGORY: WRK FUNCTION: PRT FORMAT:

A-170

FCL	ASSIGNMENT DESCRIPTION	START DATE/TIME	STOP DATE/TIME
GIL	B1 UNT ORD B1 UNIT ORDERLY	11-06-2020 1212	CURRENT
GIL	B1 UNT ORD B1 UNIT ORDERLY	10-20-2020 1308	11-06-2020 0709
GIL	B1 UNT ORD B1 UNIT ORDERLY	11-18-2015 0841	10-20-2020 0656
GIL	SHU UNASSG SPECIAL HOUSING UNASSG	09-25-2015 0959	11-18-2015 0841
GIL	F UNICOR4 FCI UNICOR 4	12-31-2014 0001	09-25-2015 0959
GIL	F UNICOR6 FCI UNICOR 6	11-04-2014 0001	12-31-2014 0001
GIL	B1 UNT ORD B1 UNIT ORDERLY	07-04-2014 0001	11-04-2014 0001
GIL	UNASSG UNASSIGNED	07-01-2014 0001	07-04-2014 0001
GIL	F UNICOR4 FCI UNICOR 4	07-18-2013 0730	07-01-2014 0001
GIL	MAINT #4 GEN MAINTENANCE	07-17-2013 0001	07-18-2013 0730
GIL	UNASSG UNASSIGNED	06-08-2013 0001	07-17-2013 0001
GIL	SHU UNASSG SPECIAL HOUSING UNASSG	06-02-2013 1902	06-08-2013 0001
GIL	F UNICOR4 FCI UNICOR 4	05-07-2013 1200	06-02-2013 1902
GIL	UNASSG UNASSIGNED	05-02-2013 1502	05-07-2013 1200
GIL	SHU UNASSG SPECIAL HOUSING UNASSG	04-14-2013 2115	05-02-2013 1502
GIL	F UNICOR4 FCI UNICOR 4	08-15-2011 0001	04-14-2013 2115
GIL	UNICOR IN UNICOR LAY-IN	08-05-2011 0001	08-15-2011 0001
GIL	UNICOR AM UNICOR AM	06-13-2011 0001	08-05-2011 0001
GIL	F UNICOR4 FCI UNICOR 4	06-01-2011 0001	06-13-2011 0001
GIL	UNICOR AM UNICOR AM	04-02-2011 0001	06-01-2011 0001
GIL	F UNICOR1 FCI UNICOR 1	04-01-2011 0001	04-02-2011 0001
GIL	CCS DW CORR SVC YARD DW	11-10-2010 0001	04-01-2011 0001
GIL	UNASSG UNASSIGNED	11-09-2010 0921	11-10-2010 0001
GIL	A&O A&O	10-06-2010 1740	11-09-2010 0921
OKL	UNASSG UNASSIGNED HOLDOVER	09-23-2010 1515	10-06-2010 0940
ATL	DCU UNASSG DETENTION CENTER UNASSIGNED	09-16-2010 1715	09-23-2010 0944
BSY	UNICOR 5 MECHANICS	03-18-2010 1015	09-16-2010 0851
BSY	GM 2 PM PM WORK DETAIL	02-23-2010 0001	03-18-2010 1015
BSY	UNASSG UNASSIGNED	02-19-2010 1156	02-23-2010 0001
BSY	A&O ADMISSION & ORIENTATION	02-03-2010 1400	02-19-2010 1156
ATL	DCU II ORD DCU II ORDERLY & FS WORKER	01-21-2010 1101	02-03-2010 0559
ATL	DCU UNASSG DETENTION CENTER UNASSIGNED	01-13-2010 1442	01-21-2010 1101
OKL	UNASSG UNASSIGNED HOLDOVER	01-11-2010 1701	01-13-2010 0855
CAA	H/O UNASSG HOLD OVER UNIT	11-24-2009 1316	01-11-2010 0722
LEW	UNASSG UNASSIGNED WORK DETAIL	09-11-2009 1403	11-24-2009 1026
LEW	I-BUSI OFC INDUSTRIES BUS OFFICE	03-17-2009 0001	09-11-2009 1403
LEW	MILLWRIGHT MILLWRIGHT	02-22-2007 0001	03-17-2009 0001
LEW	UNASSG UNASSIGNED WORK DETAIL	02-20-2007 0803	02-22-2007 0001
LEW	MILLWRIGHT MILLWRIGHT	06-13-2006 0001	02-20-2007 0803
LEW	UNASSG UNASSIGNED WORK DETAIL	06-07-2006 1310	06-13-2006 0001
NYM	UNASSG UNASSIGNED WORK DETAIL	04-04-2006 1456	06-07-2006 0351

G0002 MORE PAGES TO FOLLOW . . .

GILGD 531.01 *
PAGE 002 OF 002 *

INMATE HISTORY
WRK DETAIL

* 02-10-2021
* 07:21:47

REG NO.: 34427-054 NAME: MUSTAFA, JUAN CARLOS
CATEGORY: WRK FUNCTION: PRT FORMAT:

A-171

FCL	ASSIGNMENT DESCRIPTION	START DATE/TIME	STOP DATE/TIME
LEW	MILLWRIGHT MILLWRIGHT	12-29-2003 0001	04-04-2006 0556
LEW	VACATION VACATION	12-24-2003 0001	12-29-2003 0001
LEW	MILLWRIGHT MILLWRIGHT	10-30-2003 0001	12-24-2003 0001
LEW	VACATION VACATION	10-27-2003 0001	10-30-2003 0001
LEW	MILLWRIGHT MILLWRIGHT	10-23-2003 0001	10-27-2003 0001
LEW	VACATION VACATION	10-20-2003 0001	10-23-2003 0001
LEW	MILLWRIGHT MILLWRIGHT	10-16-2003 0001	10-20-2003 0001
LEW	VACATION VACATION	10-14-2003 0001	10-16-2003 0001
LEW	MILLWRIGHT MILLWRIGHT	10-08-2003 0001	10-14-2003 0001
LEW	VACATION VACATION	10-06-2003 0001	10-08-2003 0001
LEW	MILLWRIGHT MILLWRIGHT	10-01-2003 0800	10-06-2003 0001
LEW	VACATION VACATION	09-29-2003 0800	10-01-2003 0800
LEW	MILLWRIGHT MILLWRIGHT	12-03-1998 1143	09-29-2003 0800
LEW	UNASSG UNASSIGNED WORK DETAIL	12-03-1998 0914	12-03-1998 1143
LEW	MILLWRIGHT MILLWRIGHT	04-22-1996 0001	12-03-1998 0914
LEW	UNASSG UNASSIGNED WORK DETAIL	04-07-1996 1217	04-22-1996 0001
LEW	MILLWRIGHT MILLWRIGHT	04-03-1995 0001	04-07-1996 1217
LEW	UNASSG UNASSIGNED WORK DETAIL	03-26-1995 1836	04-03-1995 0001
LEW	MILLWRIGHT MILLWRIGHT	08-15-1994 0001	03-26-1995 1836
LEW	DINE ROOM FOOD SVC DINING ROOM	05-16-1994 0001	08-15-1994 0001
LEW	FOOD SVC FOOD SERVICE	05-04-1994 0001	05-16-1994 0001
LEW	UNASSG UNASSIGNED WORK DETAIL	04-14-1994 1521	05-04-1994 0001
NYM	UNASSG UNASSIGNED WORK DETAIL	03-30-1994 0206	04-14-1994 0622
OTV	FS2 AM CK FOOD SERVICE 2 AM COOK SHIFT	02-11-1994 1511	03-30-1994 0020
OTV	FS4 PM CK FOOD SERVICE 4 PM COOK SHIFT	01-20-1994 0001	02-11-1994 1511
OTV	UN JAIL HOLDOVER/JAIL INMATE UNASSG	01-14-1994 0541	01-20-1994 0001
NYM	UNASSG UNASSIGNED WORK DETAIL	11-16-1993 0209	01-14-1994 0215
OTV	FS4 PM CK FOOD SERVICE 4 PM COOK SHIFT	11-13-1993 0001	11-16-1993 0032
OTV	UN JAIL HOLDOVER/JAIL INMATE UNASSG	11-10-1993 0645	11-13-1993 0001
NYM	UNASSG UNASSIGNED WORK DETAIL	11-04-1993 0221	11-10-1993 0213
OTV	FS4 PM CK FOOD SERVICE 4 PM COOK SHIFT	09-30-1993 1256	11-04-1993 0042
OTV	FOOD SVC FOOD SERVICE	09-29-1993 0001	09-30-1993 1256
OTV	STUDENT PM STUDENT PM	09-27-1993 0001	09-29-1993 0001
OTV	STUDENT STUDENT ALL DAY	09-22-1993 0001	09-27-1993 0001
OTV	A/O ADMISSIONS AND ORIENTATION	09-19-1993 0001	09-22-1993 0001
OTV	HLD-A&O WAITING FOR A/O	09-14-1993 1013	09-19-1993 0001
OTV	UN JAIL HOLDOVER/JAIL INMATE UNASSG	09-07-1993 0710	09-14-1993 1013
NYM	UNASSG UNASSIGNED WORK DETAIL	08-27-1993 0220	09-07-1993 0529
OTV	UN JAIL HOLDOVER/JAIL INMATE UNASSG	08-23-1993 0629	08-27-1993 0044
NYM	UNIT 7N UNIT 7N ORDERLY/KITCHEN	04-01-1993 0810	08-23-1993 0454
NYM	UNASSG UNASSIGNED WORK DETAIL	03-25-1993 1904	04-01-1993 0810

G0000

TRANSACTION SUCCESSFULLY COMPLETED

**Summary Reentry Plan - Progress Report**
 Dept. of Justice / Federal Bureau of Prisons
 Plan is for inmate: MUSTAFA, JUAN CARLOS 34427-054

SEQUENCE: 00223630

Report Date: 02-10-2021


 Facility: GIL GILMER FCI
 Name: MUSTAFA, JUAN CARLOS
 Register No.: 34427-054
 Quarters: B01-131L
 Age: 60
 Date of Birth: 03-21-1960

 Custody Level: IN
 Security Level: MEDIUM
 Proj. Rel Date: UNKNOWN
 Release Method: LIFE
 DNA Status: GIL02907 / 06-07-2011

A-172

Contact Information**Release contact & address**
 Algema Mustafa, MOTHER
 524 W. 173 RD, St. #2A, New York, NY 10032 US

Phone (Home) : 212-740-2916

Offenses and Sentences Imposed

Charge	Terms In Effect
18:1962(C)RACKETEERING; 18:1959(A)(5)VIOLENT CRIMES IN AID OF RACKETEERING; 18:924(C)USE OF A FIREARM IN CONNECTION WITH A CRIME OF VIOLENCE; 21:846 CONSPIRACY TO DISTRIBUTE NARCOTICS; 21:812,841(A)(1)&841(B)(1)(A)POSSESS WITD NARCOTICS; 18:371 CONS.TO TRANSPORT EXPLOSIVES;18:844(D) TRANSPORT EXPLOSIVES	LIFE

Date Sentence Computation Began: 03-30-1994

Sentencing District: NEW YORK, SOUTHERN DISTRICT

Days FSGT / WSGT / DGCT	Days GCT or EGT / SGT	Time Served	+ Jail Credit - InOp Time
0 / 0 / 0	0	Years: 27 Months: 10 Days:	+ 371 JC - 0 InOp

Detainers

Detaining Agency	Remarks
ICE	IMMIGRATION DETAINER

Program Plans

Inmate Mustafa arrived at FCI Gilmer on October 10, 2010. During his initial classification, he was instructed to enroll in educational and recreational programs. It was also recommended that he obtain institutional employment and maintain positive work evaluations. Additionally, he was instructed to maintain clear conduct and comply with all institutional rules and regulations.

Current Work Assignments

Fac	Assignment	Description	Start
GIL	B1 UNT ORD	B1 UNIT ORDERLY	11-06-2020

Work Assignment Summary

Since his arrival to FCI Gilmer, inmate Mustafa has been employed in Unicor from April 2011 until September 2015. During this employment, his work evaluations were exceptional. He reported to work as required and completed all assigned task. His work was completed on time and the quality of his craftsmanship was excellent. He is currently employed as a Unit Orderly, and is tasked with maintaining sanitation of the Unit Team/staffing area. He reports to work on a daily basis and completes any assignment as requested. He has assisted with painting, waxing floors, rearranging storage closets, and preparing for visits from the Regional Directors to ACA inspections. His work ethic is superior. He is respectful to staff and inmates at all times. He has received numerous letters from employers, commending his hard work and dedication.

Current Education Information

Fac	Assignment	Description	Start
GIL	ESL HAS	ENGLISH PROFICIENT	06-30-1994
GIL	GED EARNED	GED EARNED IN BOP	03-09-1999

Education Courses

SubFac	Action	Description	Start	Stop
GIL	C	CARDIO: M/W/F 2:00-3:00PM	01-26-2019	03-16-2019
GIL	C	BASIC SPIN:M,W,F 9:00-10:00AM	01-26-2019	03-16-2019



Summary Reentry Plan - Progress Report

 Dept. of Justice / Federal Bureau of Prisons
 Plan is for inmate: MUSTAFA, JUAN CARLOS 34427-054

SEQUENCE: 00223630

Report Date: 02-10-2021

SubFac	Action	Description	Start	Stop
GIL	C	ADV JUMP ROPE:T/TH;1400	11-11-2011	01-06-2012
GIL	C	LEATHER 1830-2030	01-24-2011	05-06-2011
GIL	C	BIG MAN CARDIO:M,W,F;1400	01-14-2011	03-16-2011
BSY	C	STOP THE VIOLENCE;MON;7:40AM	05-09-2010	06-23-2010
BSY	C	BEG CROCHET,T&R,12:30-2:00;JB	05-04-2010	05-25-2010
LEW	W	RPP-ANGER MANAGEMENT	03-13-2009	06-05-2009
LEW	C	RPP-VALUES	07-28-2008	08-25-2008
LEW	C	RPP-VICTIM IMPACT/REST JUSTICE	06-23-2008	07-21-2008
LEW	C	RPP-PARENTING FROM A DISTANCE	06-09-2008	06-16-2008
LEW	C	RELEASE ISSUES	05-05-2008	06-02-2008
LEW	C	RPP-LOCAL SOCIAL SERVICE	04-14-2008	04-28-2008
LEW	C	RPP-CAREER EXPLORATION INV.	03-10-2008	04-07-2008
LEW	C	RPP-HEALTH PRO/DISEASE PREVENT	02-11-2008	03-03-2008
LEW	C	RPP-FOOD & MONEY ASST.	11-05-2007	02-04-2008
LEW	C	MILLWRIGHT APPRENTICESHIP	08-17-2004	03-08-2007
LEW	C	LEISURE ACTIVITY/CERAMICS-2002	01-02-2002	12-31-2002
LEW	C	MILLWRIGHT APPRENTICESHIP	08-15-1994	12-01-2001
LEW	C	LEISURE ACTIVITY/CERAMICS-2001	01-02-2001	12-31-2001
LEW	C	LEISURE ACTIVITY/CERAMICS-2000	01-03-2000	01-02-2001
LEW	C	LEISURE ACTIVITY/CERAMICS	11-20-1997	01-03-2000
LEW	C	LEISURE ACTIVITY/INSTR.MUSIC	01-10-1998	10-31-1999
LEW	C	SPANISH GED	12-04-1997	03-09-1999
LEW	C	MATH VT/ACE,WED. 6:30-8:15PM	12-14-1997	07-21-1998
LEW	W	SPANISH GED CLASS 9AM	10-31-1996	12-04-1997
LEW	C	MATH VT/ACE,WED. 6:30-8:15PM	04-17-1997	08-28-1997
LEW	C	ECONOMICS VTACE WED 6:30-8:30	06-11-1997	08-27-1997
LEW	W	LITERACY PROGRAM	09-16-1994	10-25-1996
LEW	C	PARENTING CLASS	02-13-1996	06-04-1996
LEW	C	ENGLISH AS A SECOND LANGUAGE	04-26-1994	06-30-1994
OTV DCU	W	ESL CLASS AFTERNNOONS MON-FRI	09-27-1993	01-13-1994
OTV DCU	C	HOLDOVER ORIENTATION PROGRAM	09-21-1993	09-27-1993

Education Information Summary

Inmate Mustafa has completed several recreational programs since his arrival to FCI Gilmer, including Cardio, Spinning, Jump Rope, Leather, and Big Man Cardio. He has completed his GED and is currently on the waiting list for several educational classes. However, due to his release date, enrollment is limited. The majority of these classes are often reserved for inmates who are releasing in the near future. When presented with the opportunity, he completes the programs.

Discipline Reports

Hearing Date	Prohibited Acts
05-01-2013	305 : POSSESSING UNAUTHORIZED ITEM
04-16-2013	305 : POSSESSING UNAUTHORIZED ITEM

Discipline Summary

Since the beginning of his incarceration, in 1993, inmate Mustafa has only received two 300 series incident reports for possessing contraband items. He consistently complies with institutional rules and regulations, and strives to maintain clear conduct.

ARS Assignments

Fac	Assignment	Reason	Start	Stop
GIL	A-DES	OTHER AUTH ABSENCE RETURN	11-06-2020	CURRENT
GIL	A-DES	OTHER AUTH ABSENCE RETURN	10-20-2020	11-06-2020
GIL	A-DES	TRANSFER RECEIVED	10-06-2010	10-20-2020
BSY	A-DES	TRANSFER RECEIVED	02-03-2010	09-16-2010
LEW	A-DES	TRANSFER RECEIVED	06-07-2006	11-24-2009
LEW CODE	A-DES	TRANSFER RECEIVED	04-14-1994	04-04-2006

Current Care Assignments



Summary Reentry Plan - Progress Report

Dept. of Justice / Federal Bureau of Prisons
Plan is for inmate: MUSTAFA, JUAN CARLOS 34427-054

SEQUENCE: 00223630

Report Date: 02-10-2021

Assignment	Description	Start
CARE1-MH	CARE1-MENTAL HEALTH	07-02-2010
CARE2	STABLE, CHRONIC CARE	01-28-2010

A-174

Current Medical Duty Status Assignments

Assignment	Description	Start
C19-RCVRD	COVID-19 RECOVERED	02-08-2021
LOWER BUNK	LOWER BUNK REQUIRED	09-20-2019
NO F/S	NO FOOD SERVICE WORK	02-19-2003
REG DUTY	NO MEDICAL RESTR--REGULAR DUTY	04-10-2006

Current PTP Assignments

Assignment	Description	Start
CDE DIS	CODE DISCHARGE	02-02-2006
CHG COMP	CHALLENGE COMPLETED	10-29-2007

Current Drug Assignments

Assignment	Description	Start
DRG E COMP	DRUG EDUCATION COMPLETED	02-27-1998
DRG I NONE	NO DRUG INTERVIEW REQUIRED	12-31-1996

Physical and Mental Health Summary

Inmate Mustafa is a Care Level 2 inmate. He has no medical restrictions; however, he can not work in Food Service. He has completed the Challenge Program and the Drug Education Program.

FRP Details

Most Recent Payment Plan

FRP Assignment: COMPLT FINANC RESP-COMPLETED Start: 01-06-1997

Inmate Decision: AGREED 50% Frequency: MONTHLY

Payments past 6 months: \$0.00 Obligation Balance: \$0.00

Financial Obligations

No.	Type	Amount	Balance	Payable	Status
1	FINE	\$1,100.00	\$0.00	IMMEDIATE	COMPLETEDZ

** NO ADJUSTMENTS MADE IN LAST 6 MONTHS **

Financial Responsibility Summary

Inmate Mustafa has completed his court ordered financial obligations.

Release Planning

If released, inmate Mustafa plans on residing with his mother in New York.

General Comments

** No notes entered **



Summary Reentry Plan - Progress Report

Dept. of Justice / Federal Bureau of Prisons
Plan is for inmate: MUSTAFA, JUAN CARLOS 34427-054

SEQUENCE: 00223630

Report Date: 02-10-2021

Name: MUSTAFA, JUAN CARLOS
Register Num: 34427-054
Age: 60
Date of Birth: 03-21-1960
DNA Status: GIL02907 / 06-07-2011

A-175

Juan Carlos Mustafa
Inmate (MUSTAFA, JUAN CARLOS, Register Num: 34427-054)

2/10/21
Date

K. Ayala
Chairperson
2/10/21
Date

K. Ayala
Case Manager
2/10/21
Date

A-176

RECOMMENDATION TO INMATE INCENTIVE AWARDS COMMITTEE:

FOR CIVILIAN STAFF USE ONLY:

INMATE NAME: Juan Mustafa

REG. NO.: 34227-054

UNIT E-3

DATE OF LAST AWARD SUBMITTED: 2-1-03

REASON FOR RECOMMENDATION: Inmate Mustafa has worked extremely hard over the past month and has been a necessity in the paint shop, as well as in the repair of various machinery throughout UNICOR.

AMOUNT OF AWARD \$ 25.00 BUDGETED AMOUNT REMAINING \$ _____CIVILIAN STAFF SIGNATURE [Signature] (DEPT) Millwright[Signature]

FOR COMMITTEE USE ONLY:

\$ AMT OF LAST AWARD _____ DATE OF LAST AWARD _____

\$ AMT OF APPROVED AWARD _____ LETTER (X) _____

OK
@ cofield
5/22/03COMMITTEE SIGNATURES: BUSINESS MGR. [Signature]FACTORY MGR. [Signature]AW(I) [Signature]

INCENTIVE AWARD RECOMMENDATION

RECOMMENDATION TO INCENTIVE AWARDS COMMITTEE:

FOR CIVILIAN STAFF USE ONLY:

A-177

INMATE NAME: MUSTAFA, JUAN

REG. NO. 34427-054

UNIT: H-3

DATE OF LAST AWARD SUBMITTED: 12-20-01

REASON FOR RECOMMENDATION: I AM RECOMMENDING INMATE MUSTAFA, JUAN REG#34427-054 FOR AN INCENTIVE AWARD IN THE AMOUNT OF \$ 20.00 FOR HIS OUTSTANDING WORK PERFORMANCE IN THE MILLWRIGHT DEPARTMENT. HE IS VALUED FOR HIS PIPEFITTING AND PLUMBING SKILLS, IN ADDITION TO HIS UNSELFISH AND COMPETENT ASSISTANCE ON VARIOUS SPECIAL PROJECTS. HE GETS ALONG WELL WITH STAFF AND OTHER INMATES. FOR THESE REASONS I RECOMMEND THIS INMATE FOR A MONETARY AWARD.

AMOUNT OF AWARD: ~~\$20.00~~ BUDGETED AMOUNT REMAINING: \$85.00

CIVILIAN STAFF SIGNATURE: *[Signature]* DEPT: MILLWRIGHT

FOR COMMITTEE USE ONLY:

AMOUNT OF LAST AWARD: \$

DATE OF LAST AWARD: _____

AMOUNT OF APPROVED AWARD: \$ _____

LETTER (X) _____

BUSINESS MGR.
SIGNATURE: *[Signature]*

DATE APPROVED: _____

FACTORY MGR.
SIGNATURE: *[Signature]*

DATE APPROVED: _____

AW(I)
SIGNATURE: *[Signature]*

DATE APPROVED: _____

OK
8/27/01

RECOMMENDATION TO INCENTIVE AWARDS COMMITTEE:

A-178

FOR CIVILIAN STAFF USE ONLY:

INMATE NAME Mustafa, J. REG. NO. 34427-054
 UNIT 3 DATE OF LAST AWARD SUBMITTED _____

REASON FOR RECOMMENDATION:

The above referenced inmate assisted in the completion of a UNICOR installation. A letter was received from the Outside Contractor in charge of this installation. The letter complimented this inmate for his polite and respectful demeanor and his diligence in his work.

It is for this reason I would like to recommend this inmate for a \$100 inmate incentive award.

(Handwritten: \$150)
(Signature)

AMOUNT OF AWARD \$ _____ BUDGETED AMOUNT REMAINING \$ _____

CIVILIAN STAFF SIGNATURE Jay R. Young (DEPT) _____

FOR COMMITTEE USE ONLY:

\$ AMT OF LAST AWARD _____ DATE OF LAST AWARD _____

\$ AMT OF APPROVED AWARD _____ LETTER (X) _____

SIGNATURES: DEPT. HEAD C. J. [Signature]

FACTORY MGR _____

AW(I) [Signature]

OK
12/31

RECOMMENDATION TO INCENTIVE AWARDS COMMITTEE:

FOR CIVILIAN STAFF USE ONLY:

A-179

INMATE NAME MUSTAFA, JUAN REG. NO. 34427-054
 UNIT H-3 DATE OF LAST AWARD SUBMITTED 10-20-00

REASON FOR RECOMMENDATION: INMATE MUSTAFA, J. # 34427-054 HE HAS WORKED IN MILLWRIGHT DEPARTMENT FROM AUGUST OF 1994 AND HAS PERFORMED ANY NUMBER OF DIFFICULT TASKS. HE TAKES HIS DUTIES SERIOUSLY AND HAS AN EXCELLENT WORK ETHIC. INMATE MUSTAFA CAN BE PUT TO ANY TASKS WITH LITTLE OR NO SUPERVISION AND HAS SHOWN TO BE A VERY ABLE AND COMPETANT WORKER. HE IS VERY POLITE AND GETS ALONG WELL WITH BOTH STAFF AND FELLOW WORKERS. FOR THESE REASONS I RECOMMEND HIM FOR A MONETARY AWARD.

AMOUNT OF AWARD \$ 50.00 BUDGETED AMOUNT REMAINING \$ _____

CIVILIAN STAFF SIGNATURE [Signature] (DEPT) mlw

FOR COMMITTEE USE ONLY:

\$ AMT OF LAST AWARD _____ DATE OF LAST AWARD _____

\$ AMT OF APPROVED AWARD _____ LETTER (X) _____

SIGNATURES: DEPT. HEAD

FACTORY MGR

AW(I)

[Signature]
[Signature]
[Signature]

o/c
 copied
 5/24/01

RECOMMENDATION TO INCENTIVE AWARDS COMMITTEE:

FOR CIVILIAN STAFF USE ONLY:

INMATE NAME MUSTAFA, JUAN REG. NO. 34427-054
 UNIT E-3 DATE OF LAST AWARD SUBMITTED 5-20-00

REASON FOR RECOMMENDATION: INMATE MUSTAFA'S DEPENDABILITY WITHIN THE MILLWRIGHT DEPARTMENT IS SEEN ON A DAILY BASIS. HE WELCOMES OPPORTUNITIES TO IMPROVE HIMSELF AND WORKS COOPERATIVELY WITH BOTH STAFF AND OTHER INMATES. AS A RESULT OF HIS PARTICIPATION IN THE APPRENTICE PROGRAM HE CONTINUES TO SHOW GROWTH AND IMPROVEMENT IN MOST TRADES. AT THIS TIME IT IS RECOMMENDED THAT INMATE MUSTAFA BE AWARDED A MONETARY INCENTIVE AWARD OF \$50.00

AMOUNT OF AWARD \$ 50.00 BUDGETED AMOUNT REMAINING \$ _____

CIVILIAN STAFF SIGNATURE [Signature] (DEPT) MILLWRIGHT DEPT.

FOR COMMITTEE USE ONLY:

\$ AMT OF LAST AWARD _____ DATE OF LAST AWARD _____

\$ AMT OF APPROVED AWARD _____ LETTER (X) _____

SIGNATURES: DEPT. HEAD [Signature]

FACTORY MGR [Signature]

AW(I) [Signature]

OK
 [Signature]
 10/24/00

RECOMMENDATION TO INMATE INCENTIVE AWARDS COMMITTEE:

FOR CIVILIAN STAFF USE ONLY:

INMATE NAME MUSTAFA, JUAN REG. NO. 34427-054
UNIT E-3 DATE OF LAST AWARD SUBMITTED 07-01-99

REASON FOR RECOMMENDATION: INMATE MUSTAFA IS RESPONSIBLE FOR ALL THE PLUMBING AND HEATING COMPONENTS IN UNICOR. THIS INMATE TAKES GREAT PRIDE IN HIS WORK. THIS PERSON ALSO HELPS ALL THE FOREMAN AND MILLWRIGHT AND IS AN ASSET TO MILLWRIGHT DEPARTMENT. AS A RESULT OF HIS PARTICIPATION IN THE APPRENTICE PROGRAM HE CONTINUES TO SHOW GROWTH AND IMPROVEMENT IN MOST TRADES ASSOCIATED WITH A MILLWRIGHT DEPARTMENT. AT THIS TIME IT IS RECOMMENDED THAT INMATE MUSTAFA BE AWARDED A MONETARY INCENTIVE AWARD OF \$50.00.

AMOUNT OF AWARD \$ 50.00 BUDGETED AMOUNT REMAINING \$ _____

CIVILIAN STAFF SIGNATURE [Signature] (DEPT) mlw

FOR COMMITTEE USE ONLY:

\$ AMT OF LAST AWARD _____ DATE OF LAST AWARD _____

\$ AMT OF APPROVED AWARD _____ LETTER (X) _____

COMMITTEE

SIGNATURES: BUSINESS MGR [Signature]FACTORY MGR [Signature]AW(I) [Signature]

ok
ed/cofield
3/22/00

RECOMMENDATION TO INCENTIVE AWARDS COMMITTEE:

FOR CIVILIAN STAFF USE ONLY:

A-182

INMATE NAME MUSTAFA, JUAN REG. NO. 34427-054
 UNIT H-3 (3) DATE OF LAST AWARD SUBMITTED 11/1/97

REASON FOR RECOMMENDATION:

INMATE MUSTAFA, J. #34427-054 IS PRESENTLY ASSIGNED TO MILLWRIGHT AS A PLUMBER. HE HAS WORKED IN MILLWRIGHT FROM AUGUST OF 1994 AND HAS PERFORMED ANY NUMBER OF DIFFICULT TASKS. HE TAKES HIS DUTIES SERIOUSLY AND HAS AN EXCELLENT WORK ETHIC. INMATE MUSTAFA CAN BE PUT TO ANY TASKS WITH LITTLE OR NO SUPERVISION AND HAS SHOWN TO BE A VERY ABLE AND COMPETANT WORKER. HE IS VERY POLITE AND GETS ALONG WELL WITH BOTH STAFF AND FELLOW WORKERS. HE ATTENDS SCHOOL AN HOUR A DAY WORKING TOWARD HIS G.E.D. YET CARRIES HIS WORK LOAD WELL. HIS INITIATIVE TOWARDS BETTERING HIMSELF BOTH IN EDUCATION AND WORK TRAINING IS MOST ADMIRABLE. FOR THESE REASONS I RECOMMEND HIM FOR A MONETARY AWARD.

AMOUNT OF AWARD \$ 50. BUDGETED AMOUNT REMAINING \$ 325.00

CIVILIAN STAFF SIGNATURE [Signature] (DEPT) MILLWRIGHT

FOR COMMITTEE USE ONLY:

\$ AMT OF LAST AWARD 50 DATE OF LAST AWARD 12/97

\$ AMT OF APPROVED AWARD _____ LETTER (X) _____

SIGNATURES

[Signature]
[Signature]

ok
 [Signature]
 7/22/98

UNITED STATES GOVERNMENT

memorandum

A-183

C-File
Section 6

DATE: 5 DECEMBER 1997 *KJ*
REPLY TO: KELVIN SPENGLER, MILLWRIGHT
ATTN OF:

SUBJECT: FOR INMATE FILE
J. MUSTAFA #34427-054

TO: UNIT MANAGER H-BLOCK

PLEASE FIND THE ATTACHED LETTER OF COMMENDATION FROM D.I. ENTERPRISES
FOR INMATE J. MUSTAFA #34427-054. PLEASE PLACE IN THE INMATE'S FILE.



1866 Highcrest Drive
St. Charles, MO 63303

TELEPHONE: 314-949-0595
FACSIMILE: 314-949-0064

August 19, 1997

Warden Page True
FPI Lewisburg
Box 1000
William Penn Drive
Lewisburg, PA 17837

Re; Installation Job

Dear Warden True:

A-184

I recently completed an installation job at your Penitentiary, where by several of your inmates assisted me throughout the process. My men and I worked "side-by-side" with Abney, R. 09209-158, Briley, M. 25975-198, Bonds, J. 03361-033, Figueroa, A. 28161-054, Heimgartner, M. 09923-018, Guzman, M. 01710-032, Wentz, D. 02471-087, Wilkinson, S. 07139-067, Martin, P. 12304-075, Mustafa, J. 34427-054, on a daily basis. Each of these men were polite and respectful as well as diligent in their work. I would like to express my satisfaction and thanks for a job well done. It was also a pleasure to enlist inmates who were courteous and knowledgeable. It was apparent to me, as well as my staff, that your ability to govern the environment of the Penitentiary was indeed a pleasant experience.

I look forward to working with you again. Best Wishes.

Very truly yours,

D.L. Enterprises, Inc.


Derek L. Price
President

RECOMMENDATION TO INCENTIVE AWARDS COMMITTEE:

FOR CIVILIAN STAFF USE ONLY:

A-185

INMATE NAME MUSTAFA, JUAN REG. NO. #34427-054
 UNIT SAN WEST (I-BLOCK) DATE OF LAST AWARD SUBMITTED 8/8/95

REASON FOR RECOMMENDATION: INMATE MUSTAFA WAS ASSIGNED TO THE MILLWRIGHT DEPARTMENT 8/15/94 AND DURING HIS ASSIGNMENT TO THE PIPEFITTERS/PLUMBERS CREW HE HAS DONE AN OUT-STANDING JOB. INMATE MUSTAFA IS EAGER TO LEARN THE PLUMBING TRADE AND SHOWS A GREAT INTEREST IN ALL AND ANY JOBS ASSIGNED HIM. INMATE MUSTAFA WAS PROMOTED TO 1ST. GRADE DUE TO HIS EXEMPLARY JOB PERFORMANCE AND CONTINUES TO DEMONSTRATE A WILLINGNESS AND COOPERATION NOT FOUND IN MOST INMATE WORKERS. INMATE MUSTAFA ATTENDS SCHOOL EVERY AFTERNOON FROM 12 P.M. TO 2 P.M., WORKING TOWARDS HIS G.E.D., BUT RECENTLY HAD TO TAKE A LEAVE OF ABSENCES FROM THE EDUCATION DEPARTMENT FOR 6 WEEKS BECAUSE OF LOOSING ONE OF MY INMATE WORKERS TO A MEDICAL IDLE STATUS. MUSTAFA HANDLED THE OVER-WORK LOAD WITH LITTLE TO NO PROBLEMS AND CONTINUES TO DO AND OUT-STANDING JOB. INMATE MUSTAFA IS VERY POLITE, COURTESY AND NEVER HESITATES TO COMPLETE ALL AND ANY JOB ASSIGNMENTS ASSIGNED HIM.

AMOUNT OF AWARD \$ 50.00 BUDGETED AMOUNT REMAINING \$ 275.00

CIVILIAN STAFF SIGNATURE [Signature] (DEPT) nlu

FOR COMMITTEE USE ONLY:

\$ AMT OF LAST AWARD / DATE OF LAST AWARD /

\$ AMT OF APPROVED AWARD / LETTER (X) /

SIGNATURES /

6-24-96
Hoot

UNITED STATES GOVERNMENT

memorandum

DATE: FEBRUARY 14TH., 1995

REPLY TO
ATTN OF: L. KREITZ MAINTENANCE SUPERVISOR/UNICOR

SUBJECT: INCENTIVE AWARD FOR INMATE JUAN MUSTAFA #34427-054

TO: MR. ED. BRAIDIC, BUSINESS MANAGER/
CHAIRMAN INCENTIVE AWARDS COMMITTEE

A-186

I WOULD LIKE TO RECOMMEND INMATE JUAN MUSTAFA #34427-054 FOR AN INCENTIVE AWARD BASED UPON HIS WORK PERFORMANCE OVER THE PAST SIX (6) MONTHS. INMATE MUSTAFA WAS ASSIGNED TO THE MILLWRIGHT DEPARTMENT AUGUST 15TH., 1994 AS OUR INDUSTRIAL CLEANER AND DURING THIS TIME DID AN OUT-STANDING JOB.

RECENTLY INMATE MUSTAFA WAS REASSIGNED FROM INDUSTRIAL CLEANER TO THE PIPEFITTING/PLUMBING CREW DETAIL AS HE WAS EAGER TO LEARN A TRADE. TODATE HE IS DOING WELL ON THE PIPEFITTING/PLUMBING CREW. INMATE MUSTAFA APPEARS TO SHOW INTEREST IN ALL AND ANY JOBS ASSIGNED HIM.

HE IS VERY POLITE, COURTEOUS, WORKS WELL WITH BOTH STAFF AND INMATE WORKERS AND HAS THE ABILITY TO DO WELL IN HIS NEW JOB ASSIGNMENT.

IT IS FOR THE ABOVE REASONS THAT I WISH TO RECOMMEND INMATE MUSTAFA FOR THIS INCENTIVE AWARD.

CC: UNIT CASE MANAGER
INMATE PERSONAL FILE

February 20, 2021

A-187

Federal Correctional Institute

Reference: 34427-054 NAME: JUAN CARLOS MUSTAFA

My name is Algema Toribio, of legal age, resident at 524 West 173 St Apt 2A New York, NY 10032 will like to inform you that I'm the mother of JUAN CARLOS MUSTAFA NUMBER 34427-054. That if my son is release from jail I'm able and willing to receive him in my home at the address above. I, will provide him with shelter and all his needs. I further state that all our family are waiting for him and are available to help him to enroll back into society and help him with all his needs.

I, thank you in advance for taking the time to read this letter and I beg you to please take into consideration my petition and my wiliness to accept my son in my home.

Sincerely yours

Algema Toribio
Algema Toribio

*Sworn to Before me
this 2-20-2021*

UDERKA VARGAS
Notary Public, State of New York
No. 31-4897353
Qualified In New York County
Commission Expires June 01 2023



A-188

Mark J. P. ...
New York State USA
IDENTIFICATION CARD

ID 202 432 695 Class ID

TORIBIO
ALGEMA
524 W 173RD ST 2A
NEW YORK, NY 10032

Sex F Height 5'-04" Eyes BRO
DOB 11/01/1942
Expires 11/01/2026
E NONE
R NONE
Issued 01/06/2020

algema toribio

ALGEMA TORIBIO

U.S. POSTAGE PAID
PM 2-Day
GLENNVILLE, WV
26351
MAR 02 '21
AMOUNT

\$0.00

R2305K138759-01



10007



1004

NIMISTA Juan Carlos

1587347-054
Federal Correctional Institution - Gilmer

150 P.O. Box 6000
W 26351

1150600-112

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For Domestic Use Only

Label 107R, July 2013

Office of the clerk
U.S. District Court
For the Southern District of NY,
500 Pearl Street
New York NY 10001

Legal Affairs

